

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARIE VIC ORENIA PARUCHA,

Plaintiff,

-v-

JEAN-YVES A. MAGNAN and THERESA L. DURSO,

Defendants.

22 Civ. 7294 (PAE)

ORDER

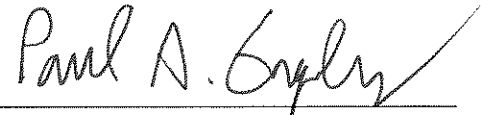
PAUL A. ENGELMAYER, District Judge:

The Court having been advised via the attached email by the parties that all claims asserted herein have been settled in principle, it is ORDERED that the above-entitled action is hereby dismissed and discontinued without costs, and without prejudice to the right to reopen the action within 45 days of the date of this Order if the settlement is not consummated.

To be clear, any application to reopen must be filed within 45 days of this Order; any application to reopen filed thereafter may be denied solely on that basis. Further, if the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court within the same 45-day period to be “so ordered” by the Court. Per Paragraph 4(C) of the Court’s Individual Rules and Practices for Civil Cases, unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record. Any proposed order approving the settlement agreement that seeks the Court’s continued jurisdiction should either (1) expressly state that the Court retains jurisdiction to enforce the agreement or (2) incorporate the terms of the settlement agreement in the order.

The Clerk of Court is respectfully directed to terminate any outstanding deadlines and close this case.

SO ORDERED.

A handwritten signature in black ink, reading "Paul A. Engelmayer", with a long horizontal stroke extending to the right.

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PAUL A. ENGELMAYER  
United States District Judge

Dated: December 19, 2022  
New York, New York

## Engelmayer NYSD Chambers

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**From:** Matthew Coogan <mcoogan@lswlaw.com>  
**Sent:** Friday, December 16, 2022 2:34 PM  
**To:** Engelmayer NYSD Chambers  
**Cc:** lsandlar@pkblp.com; jallen@pkblp.com; svlanka@legal-aid.org; Jillian Berman; Zachary Shemtob  
**Subject:** Parucha v. Magnan and Durso, 22 Civ. 7394 (PAE) (VF)

### CAUTION - EXTERNAL:

Dear Judge Engelmayer's Chambers:

We represent Defendants in the above matter. We, along with Plaintiff's counsel (copied here), left a voicemail with Chambers earlier this afternoon, but we wanted to follow up with this email due to the impending deadline on Tuesday for Plaintiff to amend her Complaint.

We are pleased to report that the parties have reached an agreement in principle to resolve this case. The parties strongly prefer to minimize further public docket activity. Therefore, if acceptable to the Court, we respectfully request entry of an Order, on the basis of this email, dismissing the case without costs and without prejudice to the parties' right to reopen the action within 45 days of the date of the Order if the settlement is not consummated.

Respectfully,  
Matthew Coogan  
Counsel for Defendants Jean-Yves A. Magnan and Theresa L. Durso

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